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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,853	01/11/2002	Jeff G. Van Nice	018049-9030	4161
7590 06/04/2004				
Timothy M Kelley Michael Best & Friedrich 100 East Wisconsin Avenue Milwaukee, WI 53202-4108			EXAMINER BOWER, KENNETH W	
			ART UNIT 3653	PAPER NUMBER

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/030,853

Applicant(s)

VAN NICE ET AL.

Examiner

Kenneth W Bower

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-17, 20, 33-35, 40-46, 48, 50, 51 and 53-55 is/are rejected.
- 7) ☐ Claim(s) 18, 19, 21-32, 47, 49 and 52 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Drawings***

1. The drawings were received on 05/24/2004. These drawings are acceptable and entered into the application.

***Response to Amendment***

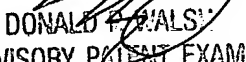
2. The amendment filed on 05/27/2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the combination of the Stevens and Singer references. Nothing unexpected is disclosed by the application of the combination of the references to applicants intended use and would therefore be within what one of ordinary skill in the art at the time of the invention.

***Conclusion***

3. Direct any inquiry concerning this or earlier communications from the examiner to Kenneth W. Bower at ken.bower@uspto.gov or (703) 306-4546. Call the examiner immediately prior to sending an unofficial fax to (703) 308-0552 or (703) 308-2571 if fax is busy. The examiner is normally available from 7:00 AM to 3:00 PM Eastern Time on Monday through Thursday and on every second Friday. The official central facsimile number for all groups is (703) 872-9306. Status or general information queries should be directed to the Group Receptionist at (703) 308-1113. If necessary, the Group Receptionist can assist with contacting the examiner's supervisor.

Kenneth W. Bower  
Patent Examiner  
Art Unit 3653

Kwb  
05/30/2004

  
DONALD P. ALS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600